

House of Representatives Standing Committee
on Family and Community Affairs

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Secretary:

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CHILD CUSTODY INQUIRY

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FAMILY AND COMMUNITY AFFAIRS
HOUSE OF REPRESENTATIVES
PARLIAMENTS HOUSE
CANBERRA

To the Chairperson,

These are some of the problems that we have encountered since our son and his wife seperated and have since divorced.

With regard to:

(a) 1. This would be a most complex issue, unless the separated parents lived in the same area only then could the children spend fifty percent of their time with each parent, and even then there would most probably be court cases. Where the separated parents live in toally different areas then a compromise should be reached. The other most important aspect of this is to ask the children with whom they wish to live. In our case the children want to live with their father but that is not the case.

(a) 2. Our son who is in the Navy has his three children every other weekend and half the school holidays, he had to go to court even to get these rights, and our ex daughter in law has stated that we as grandparents would not be able to see our grandchildren if our son is deployed overseas. This is wrong as we would then have to go through the courts just to see them, and as we did have a major input into their upbringing as we were the babysitters whilst they went to work. Even if we could see them once a month for a weekend whilst our son was deployed, and return to the present arrangements when he returned from his deployment.

(b) The existing child support formula is most unfair in the case of our son, he has his children for approximately one hundred days a year, and still has to pay the mother(custodian) the child support allowance even though he has to feed and clothe them whilst in his custody. One suggestion is that the child support allowance be reduced after having the children for ten percent of the year that is thirty five days as with the parenting allowance. Also some way must be found so that the child support allowance is spent on the children and not how the custodian feels fit to spend the money, maybe a trust fund where receipts must be produced and then some of the allowance is paid out.

Under the present system the custodial parent can have more money than the non custodial parent, with the child support allowance, single parents allowance, parenting allowance and any other money that may be earned legally or illegally, maybe this aspect should be looked into the ability to pay.

The Child Support Agency must be made more accountable because if they make a mistake with the allowance, then the person paying the allowance pays for the mistake and not the Agency even though they made the mistake.

Should the custodial parent (usually the mother) walk away from the marriage for no valid reason and take the children with her no child support allowance should be paid to her until a thorough investigation has been carried by the Agency, this happens as the custodian knows that she will most probably end up with more money than what she had in the marriage. When they do walk away from the marriage they are paid their allowances within a week or so, which means they have planned the walk out long before it actually occurs.

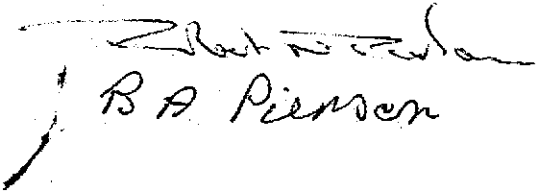
The father or non custodial parent has to battle to get visitation rights through the courts and this is a very expensive exercise, where the custodial parent is usually on legal aid. If the custodial parent is not happy with the result then an AVO is taken out on the non custodial parent to prevent them from seeing the children, and by the time it takes to get through the court system possibly twelve months, apprehension builds up in the children, and are brain washed against the non custodial parent so all the trust is gone between children and their father, and he still has to pay for the court case even if the AVO is thrown out of court with no case to answer.

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The whole system is so biased against the father.

Yours sincerely

RN & BA PIERSON


Robert Pierson
BA Pierson

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